

September 12, 1990

Docket No. 50-219

Exemption to DPR-16

Mr. E. E. Fitzpatrick
Vice President and Director
Oyster Creek Nuclear Generating Station
P.O. Box 388
Forked River, New Jersey 08731

Dear Mr. Fitzpatrick:

SUBJECT: EXEMPTION TO 10 CFR PART 50, APPENDIX J - EXTENSION OF THE TYPE B AND C LEAK RATE TEST PERIOD (TAC NO. 76137)

The Commission has issued the enclosed Exemption from certain requirements of 10 CFR 50, Appendix J for the Oyster Creek Nuclear Generating Station in response to your letters dated March 2, 1990 and August 29, 1990. The Exemption permits a one-time extension of the test period for the Type B test from October 7, 1990, or later until the 13R refueling outage and for the Type C test from October 1, 1990 or later until the 13R refueling outage. The Exemption is based on a refueling outage starting date no later than February 15, 1991.

A copy of the Safety Evaluation is enclosed.

A copy of the enclosed Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,

original signed by Alexander Dromerick

Alexander W. Dromerick, Senior Project Manager
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:
As Stated

cc w/enclosures:
See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

September 12, 1990

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Vice President and Director
Oyster Creek Nuclear Generating Station
P.O. Box 388
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A copy of the Safety Evaluation is enclosed.

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Sincerely,

A handwritten signature in cursive script that reads "Alexander W. Dromerick".

Alexander W. Dromerick, Senior Project Manager
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:
As Stated

cc w/enclosures:
See next page

Mr. E. E. Fitzpatrick
Oyster Creek Nuclear Generating Station

Oyster Creek Nuclear
Generating Station

cc:

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P. O. Box 388
Forked River, New Jersey 08731

UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of

GPU NUCLEAR CORPORATION AND
JERSEY CENTRAL POWER & LIGHT
COMPANY(Oyster Creek Nuclear Generating
Station)

Docket No. 50-219

EXEMPTION

I.

The GPU Nuclear Corporation and Jersey Central Power & Light Company (GPUN/the licensee) are the holders of Provisional Operating License No. DPR-16, which authorizes operation of the Oyster Creek Nuclear Generating Station, (the facility) at steady state reactor core power levels not in excess of 1930 megawatts thermal. The license provides, among other things, that Oyster Creek Nuclear Generating Station is subject to all rules, regulations, and Orders of the Commission now or hereafter in effect.

The plant is a boiling water reactor (BWR) located at the licensee's site in Ocean County, New Jersey.

II.

One of the conditions of all operating licenses for water-cooled power reactors, as specified in 10 CFR 50.54(o), is that the primary reactor containment shall meet the containment leakage test requirements set forth in 10 CFR Part 50, Appendix J. More specifically the following sections require that:

Section III.D.2.(a), Type B Test

Type B tests, except tests for air locks, shall be performed during reactor shutdown for refueling or other convenient intervals but in no case at intervals greater than 2 years.

Section III.D.3, Type C Tests

Type C tests shall be performed during each reactor shutdown for refueling but in no case at intervals greater than 2 years.

By letters dated March 2, 1990, and August 29, 1990 GPUN requested a schedular exemption from the above requirements. In its letter GPUN states that the next refueling outage (13R) is presently scheduled for February 15, 1991. However, the 2-year Type B and C test periods end before the next refueling outage on various dates beginning October 1, 1990.

III.

By letters dated March 2, 1990, and August 29, 1990 GPUN requested a one-time only exemption from the regulatory requirements cited in Section II above. The licensee has requested an exemption from this requirement in the form of a one-time only extension until the next refueling outage (13R) which is presently scheduled for no later than February 15, 1991. This would extend the interval between tests for 32 penetrations and 43 valves for no more than 4-1/2 months of power operation. Testing of penetrations will be extended from October 7, 1990, or later until the 13R refueling outage and testing of valves will be extended from October 1, 1990, or later until the 13R refueling outage. The basis for the requested exemption is that meeting the 2-year exemption testing interval for Type B and Type C testing implementation would necessitate a reactor shutdown prior to the 13R refueling outage schedule date. This would

result in an additional thermal cycle for the plant, as well as the potential environmental impact of a winter shutdown to meet 10 CFR 50, Appendix J testing criteria. Temporary deferment of these tests would allow GPUN to take the plant off-line consistent with system needs for power and the licensee's overall program of power management.

The staff has reviewed the licensee's request and finds that the leakage characteristics of the penetrations and valves in question would not be expected to degrade significantly during the period of the requested extension, which is short in comparison with the 2-year test interval specified in 10 CFR 50, Appendix J. Based on this, the requested extension of Type B and Type C testing is acceptable.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission has further determined that special circumstances, as set forth in 10 CFR 50.12(a)(ii), are present justifying the exemption, namely that the application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule. Accordingly, the Commission hereby grants an exemption as described in Section III above from the requirements of Sections III.D.2(a) and III.D.3 of Appendix J to 10 CFR Part 50.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the environment (55 FR 35383).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven A. Varga, Director
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 12th day of September , 1990.

Enclosure 1

Penetrations

<u>Penetration No.</u>	<u>Date Last Tested</u>
BS01	10/14/88
BS02	10/14/88
BS03	10/14/88
BS04	10/14/88
BS05	10/14/88
BS06	10/14/88
BS07	10/14/88
BS08	10/14/88
DD01	10/17/88
SD01	10/07/88
SD02	10/07/88
SD03	10/07/88
SD04	10/07/88
SD05	10/07/88
SD06	10/07/88
DS07	10/07/88
SD08	10/07/88
SD09	10/07/88
SD10	10/07/88
SD11	10/07/88
SD12	10/07/88
SD13	10/07/88

<u>Penetration No.</u>	<u>Date Last Tested</u>
SD15	10/07/88
SD14	10/07/88
SD15	10/07/88
SD16	10/07/88
SP01	10/07/88
TP01	10/13/88
TP02	10/13/88
TP03	10/13/88
TP04	10/13/88
X-18	10/07/88
X-74	10/09/88

Enclosure 2

Valves

<u>Valve No.</u>	<u>Date Last Tested</u>
01-008	10/05/88
01-010	10/04/88
02-71	10/22/89
02-73	11/14/88
02-74	11/13/88
05-147	10/10/88
05-165	10/10/88
05-166	10/11/88
05-167	10/11/88
06-393	10/16/88
06-395	10/16/88
15-27	10/05/88
15-28	10/05/88
16-1	10/14/88
16-30	10/09/88
16-61	10/08/88
16-62	10/08/88
19-16	10/01/88
19-20	10/13/88
22-1/2	10/17/88
22-28/29	12/15/88
23-13/14	10/07/88

<u>Valve No.</u>	<u>Date Last Tested</u>
23-15/16	10/06/88
23-17/18	10/07/88
23-19/20	10/06/88
23-21/22	10/06/88
23-70	10/11/88
24-30	10/16/88
26-15/16	10/05/88
26-17/18	11/28/88
27-3/4	10/07/88
31-2	10/07/88
31-5	10/17/88
38-22	10/13/88
38-23	10/13/88
38-41	10/13/88
38-43	10/13/88
38-44	10/13/88
38-46	10/13/88
TBV-1	10/12/88
TBV-2	10/12/88
TBV-3	10/12/88
TBV-4	10/12/88



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
REQUEST FOR TEST INTERVAL EXEMPTION RELATED TO 10 CFR PART 50, APPENDIX J
TYPE B AND C TESTING
GPU NUCLEAR CORPORATION AND
JERSEY CENTRAL POWER & LIGHT COMPANY
OYSTER CREEK NUCLEAR GENERATING STATION
DOCKET NO. 50-219

1.0 INTRODUCTION

By letters dated March 2, 1990 and August 29, 1990, GPU Nuclear Corporation (GPUN/licensee) requested an exemption from certain requirements of 10 CFR 50, Appendix J, concerning a one-time only request for an extension of the interval between tests for the performance of Type B tests on penetrations and Type C tests on valves. Enclosures I and II list the specific penetrations and valves and the date of the most recent successful completion of each Local Leak Rate Test (LLRT).

2.0 EVALUATION

Paragraphs III.D.2. and III.D.3 of 10 CFR 50, Appendix J require that LLRT of containment penetrations (Type B testing) and valves (Type C testing) be performed at intervals no greater than 2-years. The licensee has requested an exemption from this requirement in the form of a one-time only extension until the next refueling outage (13R) which is presently scheduled for no later than February 15, 1991. This would extend the interval between tests for 32 penetrations and 43 valves for no more than 4-1/2 months of power operation. Testing of penetrations will be extended from October 7, 1990, or later until the 13R refueling outage and testing of valves will be extended from October 1, 1990, or later until the 13R refueling outage. The exemption is based on a refueling outage starting date no later than February 15, 1991.

These penetrations cannot be tested during power operation because 1) some penetrations require access to the drywell in order to test, and 2) some penetrations require valve manipulations inside the drywell and some penetrations are in high radiation levels. These valves cannot be tested during power operation, because the systems involved must be operating to allow continued operation of the plant.

In GPUN's letter of March 2, 1990, the licensee states that meeting the 2-year testing interval for LLRT implementation would necessitate a reactor shutdown prior to the 13R refueling outage schedule date. This would result in an

additional thermal cycle for the plant, as well as the potential environmental impact of a winter shutdown to meet 10 CFR 50, Appendix J testing criteria. Temporary deferment of these tests would allow the licensee to take the plant off-line consistent with system needs for power and the licensee's overall program of power management.

3.0 CONCLUSION

GPUN has indicated that an attempt was made to test the 43 valves for which they are seeking an exemption. They were unable to test the valves because in order to perform the test the plant would have to reduce power or shutdown. If the plant is shutdown for an unscheduled outage, the valves that are part of the Appendix J program will be tested on a best efforts basis.

The staff has reviewed the licensee's request and finds that the leakage characteristics of the penetrations and valves in question would not be expected to degrade significantly during the period of the requested extension, which is short in comparison with the 2 year interval specified in 10 CFR 50, Appendix J. This is based on previous test experience at other nuclear plants.

Based on the above the staff concludes that the requested extension of the start of the 13R refueling outage to no later than February 15, 1991 of the Type B and C TEST for the 32 penetrations and 43 valves is acceptable.

Principal Contributor: A. W. Dromerick

Dated: September 12, 1990